



Issuance Date: August 26, 2008
Effective Date: October 1, 2008
Expiration Date: June 30, 2013

STATE WASTE DISCHARGE PERMIT NUMBER ST 6025

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Southwest Regional Office

In compliance with the provisions of the
State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington, as amended,
and
the Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.,
authorizes

nLIGHT Corporation
5408 Northeast 88th Street Building E
Vancouver, WA 98665

Facility Address:
5408 Northeast 88th Street
Vancouver, WA 98665

Discharge Location
Latitude: 45° 41' 17.45" N
Longitude: 122° 36' 50.05" W

Publicly Owned Treatment Works (POTW) Receiving Discharge:
Clark Regional Wastewater District and Salmon Creek Wastewater Treatment Plant

Industry Type:
Semiconductors and Related Devices

SIC Code:
3674

to discharge wastewater in accordance with the special and general conditions which follow.

Garin Schrieve, P.E.
Southwest Region Manager
Water Quality Program
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A.	Discharge Monitoring Report	Monthly	November 15, 2008
S4.A.	Working Instructions Review Confirmation Letter	Annually	June 30, 2009
S8.	Duty to Reapply	1/permit cycle	December 31, 2011

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit constitutes a violation of the terms and conditions of this permit.

Beginning on the effective date and lasting through the expiration date of this permit, the Permittee is authorized to discharge wastewater to the Clark Regional Wastewater District sewer system¹ subject to the following limitations:

Table 1 Acid waste neutralization (AWN) effluent, Outfall 001.

Parameter	Units	Average Monthly ²	Maximum Daily ³	Instantaneous Minimum	Instantaneous Maximum
pH	standard units (SU)	-	-	6.0	9.0
Flow	gallons per day (mgd)	8,000	10,000	-	-
Arsenic	mg/L	-	0.53	-	1.06
Fluoride	mg/L	17.4	32.0	-	-
Total toxic organics (TTO ⁴)	mg/L	-	1.37	-	-
¹ Clark Regional Wastewater District sewer system discharges to Salmon Creek Wastewater Treatment Plant. According to 40 CFR 403.3 both entities are defined as the Publicly Owned Treatment Works (POTW).					
² The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.					
³ The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day. This does not apply to pH, which must not be averaged.					

⁴ TTO is defined for this industry (40 CFR 469.22) as the sum of the concentrations for each of the following toxic organic compounds which is found in the discharge at a concentration greater than ten (10) micrograms per liter (µg/L):

chloroform	1,1,2 trichloroethane	butyl benzyl phthalate
phenol	trichloroethylene	1,2 dichlorobenzene
carbon tetrachloride	2 chlorophenol	1,3 dichlorobenzene
dichlorobromomethane	2,4 dichlorophenol	1,4 dichlorobenzene
1,2 dichloroethane	2 nitrophenol	1,2 diphenylhydrazine
1,1 dichloroethylene	ethylbenzene	di-n-butyl phthalate
methylene chloride	pentachlorophenol	isophorone
tetrachloroethylene	2,4,6 trichlorophenol	naphthalene
toluene	anthracene	1,2,4 trichlorobenzene
1,1,1 trichloroethane	bis (2-ethylhexyl) phthalate	4 nitrophenol

Under 40 CFR 469.13 and 40 CFR 469.23, a certification of proper solvent management may be submitted in lieu of monitoring if the facility has an approved solvent management plan. In order to secure this exemption from regular monthly monitoring for TTO, the Permittee must make the request in writing and submit a solvent management plan. The Permittee will be required to complete quarterly sampling for TTO for one year before the exemption from regular monitoring will be allowed. The Department must approve the solvent management plan in order for the monitoring exemption to go into effect. After approval of the solvent management plan, the Department of Ecology may allow the Permittee to make the following certification as a signed attachment to the monthly discharge monitoring report (DMR):

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for TTO, I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to the Department of Ecology."

Table 2 Hydrofluoric (HF) acid wastewater treatment effluent, Outfall 002.

Parameter	Units	Average Monthly ¹	Maximum Daily ²
Fluoride	mg/L	17.4	32.0
¹ The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.			
² The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day.			

Table 3 Arsenic wastewater treatment effluent, Outfall 003.

Parameter	Units	Average Monthly ¹	Maximum Daily ²
Arsenic	mg/L	0.83	2.09
¹ The average monthly effluent limitation is defined as the highest allowable average of daily			

Table 3 Arsenic wastewater treatment effluent, Outfall 003.

discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
² The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day.

Table 4 Back grind wastewater treatment effluent, Outfall 004.

Parameter	Units	Average Monthly ¹	Maximum Daily ²
Total Suspended Solids (TSS)	mg/L	23.0	61.0
¹ The average monthly effluent limitation is defined as the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.			
² The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day.			

S2. MONITORING REQUIREMENTS

A. Wastewater Monitoring

The Permittee must monitor the wastewater according to the following schedule:

Parameter	Units	Sample Outfall	Sampling Frequency	Sample Type
pH	SU	001	Continuous ¹	Metered
Flow	GPD	001	Continuous	Metered
Arsenic	mg/L	001	Monthly	24HC
Fluoride	mg/L	001	Monthly	24HC
TTO	mg/L	001	Annual	Grab
Fluoride	mg/L	002	Monthly	Grab
Arsenic	mg/L	003	Monthly	Grab
TSS	mg/L	004	Monthly	Grab
¹ Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. Sampling shall be taken once a day when continuous monitoring is not possible.				

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit must be representative of the volume and nature of the monitored parameters, including

representative sampling of any unusual discharge or discharge condition, including bypasses, upsets and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 Code of Federal Regulations (CFR) Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (American Public Health Association), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Ecology).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices must be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices must be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted industry standard for that type of device. The frequency of calibration must be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records must be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by Ecology must be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 Washington Administrative Code (WAC). Flow, temperature, settleable solids, turbidity, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH must be accredited if the laboratory must otherwise be registered or accredited. Crops, soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by Ecology.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee must monitor and report in accordance with the following conditions. The falsification of information submitted to Ecology constitutes a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results must be submitted monthly. Monitoring data obtained during the previous month must be summarized and reported on a form provided, or otherwise approved, by Ecology, and be postmarked or received no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The report(s) must be sent to:

Industrial Unit Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

Pretreatment Coordinator
Clark Regional Wastewater District
800 Northeast 52nd Court
P.O. Box 8979
Vancouver, WA 98668-8979

Wastewater Operations Manager
Public Works
Salmon Creek Wastewater Treatment Plant
15100 McCann Road
Vancouver, WA 98665

Discharge Monitoring Report (DMR) forms must be submitted monthly whether or not the facility was discharging. If there was no discharge or the facility was not operating during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee must retain records of all monitoring information for a minimum of three years. Such information must include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention may be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee must record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of this monitoring must be included in calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee must:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to parties listed in S3.A "Reporting" within 30 days after becoming aware of the violation;
3. Immediately notify parties listed in S3.A "Reporting" of the failure to comply; and

4. Submit a detailed written report to parties listed in S3.A "Reporting" within 30 days (five days for upsets and bypasses), unless requested earlier by parties listed in S3.A "Reporting". The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the re-sampling, and any other pertinent information.

* Immediately notify means within 24-hours for any spill, overflow, and bypass from any portion of the collection or treatment system or any condition that endangers human health or the environment. Immediately means 30 days for any other condition.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Dangerous Waste Discharge Notification

The Permittee must notify the parties listed in S3.A "Reporting" in writing of the intent to discharge into the POTW any substance designated as a dangerous waste in accordance with the provisions of WAC 173-303-070. This notification must be made at least 90 days prior to the date that discharge is proposed to be initiated.

G. Spill Notification

The Permittee must notify the parties listed in S3.A "Reporting" immediately (as soon as discovered) of all discharges that could cause problems to the POTW, such as process spills and unauthorized discharges (including slug discharges).

H. Maintaining a Copy of This Permit

A copy of this permit must be kept at the facility and be made available upon request to parties listed in S3.A "Reporting" inspectors.

S4. OPERATION AND MAINTENANCE

The Permittee is at all times responsible for the proper operation and maintenance of any facilities or systems of control installed to achieve compliance with the terms and conditions of the permit.

A. Operations and Maintenance Manual

The Operations and Maintenance (O&M) Manuals from industrial wastewater treatment plant manufacturers and wastewater treatment working instructions must be kept available at the permitted facility and all operators must follow the instructions and procedures of the O&M Manuals and working instructions.

The working instructions must be review annually and the review confirmation letter sent to Ecology by June 30, 2009, and **annually** thereafter.

B. Bypass Procedures

The Permittee must immediately notify parties listed in S3.A "Reporting" of any spill, overflow, or bypass from any portion of the collection or treatment system.

The bypass of wastes from any portion of the treatment system is prohibited unless one of the following conditions (1, 2, or 3) applies:

1. Unavoidable Bypass—Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

If the resulting bypass from any portion of the treatment system results in noncompliance with this permit the Permittee must notify parties listed in S3.A “Reporting” in accordance with condition S3.E “Noncompliance Notification.”

2. Anticipated Bypass That Has the Potential to Violate Permit Limits or Conditions—Bypass is authorized by an administrative order issued by Ecology. The Permittee must notify parties listed in S3.A “Reporting” at least 30 days before the planned date of bypass. The notice must contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. Ecology will consider the following prior to issuing an administrative order:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of the permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public must be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under Revised Code of Washington (RCW) 90.48.120.

3. Bypass For Essential Maintenance Without the Potential to Cause Violation of Permit Limits or Conditions -- Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of the permit, a violation of a pretreatment standard or requirement, or adversely impact public health as determined by Ecology prior to the bypass.

S5. PROHIBITED DISCHARGES

A. General Prohibitions

The Permittee must not introduce into the POTW pollutant(s) which cause Pass-through or Interference.

B. Specific Prohibitions

In addition, the following must not be introduced into the POTW:

1. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 60°C (140°F) using the test methods specified in 40 CFR 261.21.
2. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference;
3. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;
4. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40°C (104°F) unless the approval authority, upon request of the POTW, approves alternative temperature limits;
5. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass-through;
6. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
7. Any trucked or hauled pollutants, except at discharge points designated by the POTW.
8. Pollutants which will cause corrosive structural damage to the POTW.

C. Prohibited Unless Approved

1. Any of the following discharges are prohibited unless approved by Ecology under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or a need to augment sewage flows due to septic conditions):
 - a. Noncontact cooling water in significant volumes.
 - b. Storm water and other direct inflow sources.
 - c. Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system.
2. Unless specifically authorized in this permit, the discharge of dangerous wastes as defined in Chapter 173-303 WAC, is prohibited.

S6. DILUTION PROHIBITED

The Permittee must not dilute the wastewater discharge with stormwater or increase the use of potable water, process water, noncontact cooling water, or, in any way, attempt to dilute an

effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

S7. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee must handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground water, surface water or a POTW.

B. Leachate

The Permittee must not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee must apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

S8. DUTY TO REAPPLY

The Permittee must apply for permit renewal on or before **December 31, 2011**.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to Ecology must be signed as follows:

- A. All permit applications must be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by the person described above and is submitted to Ecology at the time of authorization, and
 - 2. The authorization specifies either a named individual or any individual occupying a named position.
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section must make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. RIGHT OF ENTRY

Representatives of Ecology must have the right to enter at all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable time includes normal business hours; hours during which production, treatment, or discharge occurs; or times when Ecology suspects a violation requiring immediate inspection. Representatives of Ecology must be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

G3. PERMIT ACTIONS

This permit is subject to modification, suspension, or termination, in whole or in part by Ecology for any of the following causes:

- A. Violation of any permit term or condition;
- B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
- C. A material change in quantity or type of waste disposal;
- D. A material change in the condition of the waters of the state; or
- E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

Ecology may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee must submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application must be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications must be submitted to Ecology for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities must be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit excuses the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. PERMIT TRANSFER

This permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to Ecology;
- B. A copy of the permit is provided to the new owner and the receiving POTW is notified; and
- C. Ecology does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to subsection A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by Ecology.

G8. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee must control production or discharge to the extent necessary to maintain compliance with the terms and conditions of this permit upon reduction of efficiency, loss, or failure of its treatment facility until the treatment capacity is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power for the treatment facility is reduced, lost, or fails.

G9. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must not be resuspended or reintroduced to the effluent stream for discharge.

G10. PAYMENT OF FEES

The Permittee must submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

G11. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit is guilty of a crime, and upon conviction thereof will be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs is a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit will incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation is a separate and distinct offense, and in case of a continuing violation, every day's continuance is a separate and distinct violation.